IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.03.2006

CORAM:

THE HONOURABLE MR.JUSTICE N.PAUL VASANTHAKUMAR

W.P.Nos.5147 to 5149 & 5888 of 2006
and
W.P.M.P.Nos.5526 to 5528 & 6383 of 2006

1. R.Elumalai ..Petitioner in W.P.No.5147 of 2006

2. R.Parimala ..Petitioner in W.P.No.5148 of 2006

3. P.Sekar ..Petitioner in W.P.No.5149 of 2006

4. G.Mani ..Petitioner in W.P.No.5888 of 2006

Versus

1. The Director of School Education,
College Road, Chennai-6.

2. The Joint Director of School Education
(Higher Secondary), College Road, Chennai-6.

3. The Chief Educational Officer,
Tiruvannamalai District, Tiruvannamalai 606 601.

4. The Headmaster (Incharge)
Government Higher Secondary School,
Thandarampet, Chengam Taluk,
Tiruvannamalai Distsrict 606 707. .. Respondents in all W.Ps.

These petitions are filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records on the file of the Second Respondent herein, comprised in his proceedings Na.Ka.No.110889/W-1/2005, dated 23.11.2005 and to quash the same.

For Petitioners: Mr.P.S.Raman, Senior Counsel
for Mr.J.Selvarajan

For Respondents: Mrs.D.Malarvizhi, GA

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O R D E R

Prayer in these writ petitions is to quash the order of suspension dated 23.11.2005 passed by the second respondent herein on the allegation that the petitioners misbehaved with the students, while they accompany the students for a tour on 18.11.2005. The gist of the allegations are that,

> "A team of Teachers of the Government Higher Secondary School, Thandarampattu, Tiruvannamalai District, including the petitioners herein, headed by the Headmaster of the School, without the prior permission of the Department, took the students on educational tour on the night of 18.11.2005 and misbehaved with the girl students in an indisciplined manner, resulting in agitation of the parents in front of the School premises on 22.11.2005 insisting to take action against the errent Teachers, which created an abnormal situation and that they failed to appear for a personal enquiry when they were directed to appear before the Chief Educational Officer, Tiruvannamalai."

On the above allegations, separate charge memos were issued to the petitioners on 20.2.2006.

2. The allegations against the petitioners, who are all Teachers, are very serious in nature. Students are sent to Schools by parents with the fond hope that they will be taught morality and ethics, apart from education. Teachers shall be the role-model to the students, who are spending most of their times in schools. Instead of teaching good behaviour, it is unfortunate that the petitioners have been accused of misbehaviour with their own students. Hence the suspension order is legal and valid.

3. The learned Senior Counsel appearing for the petitioners submitted that for the charge memo, the petitioners will submit their explanation on or before 31.03.2006 and the Department may be directed to conduct enquiry and finalise the Disciplinary Proceedings within a stipulated time.

4. Considering the said submission of the learned Senior Counsel for the petitioner, the respondents are directed to conduct enquiry and complete the disciplinary proceedings, preferably before the end of May, 2006. If for any reason, the enquiry and the disciplinary proceeding are not completed on or before 31.05.2006, liberty is given to the petitioners to approach this Court for appropriate relief.

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5. The Writ Petitions are dismissed with the above directions. Consequently, connected W.P.M.Ps are also dismissed. No costs.

vr

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Director of School Education,
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   Tiruvannamalai Distsrict 606 707.

+ 4 cc to Mr.J.Selvarajan, Advocate Sr.No.12847 to 12850
+ 1 cc to Government Pleader Sr.No.13099

VC (CO)
RSM/28.3.2006

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